

REMARKS

I. Response to Rejections under 35 USC 102

At page 2, item 2 of the Office Action, claims 1, 4, 9, 12, 17, and 18 are rejected under 35 USC 102(b) as being anticipated by "Root" (US patent number 5,600,781). In response the rejection, the Applicant has amended claim 1 to include the limitations of claim 6, amended claim 9 to include the limitations of claim 14, and amended claim 17 to include the limitation of claim 20. Claims 6, 14, and 20 have been canceled.

Accordingly, as claims 1, 9, and 17 now include limitations not found in Root, the Applicant requests that the Examiner withdraw the rejection.

II. Response to Rejections under 35 USC 103(a)

At page 5, item 10 of the Office Action, claims 2, 3, 5-8, 10, 11, 13-16, 19, and 20 are rejected as being unpatentable over "Root" (US patent number 5,600,781) in view of "Janay" (US patent number 5,831,608). The Applicants believe that the amended independent claims and their dependents are allowable since the combination of the Root and Janay references is improper because *the Root reference teaches away from the Janay reference*.

In Root, a method and apparatus for creating a portable personalized operating environment is disclosed. Root discloses a personality database that is easily transportable among computer systems such that once a user sets up their personality profile, that personality profile can easily be transferred from one computer system to another. In Root, a flash memory card is used to store the personality data. Further, at column 4, lines 32-33, Root asserts:

Simply storing detailed information about several different users *is an inadequate solution for a number of reasons*. For example, if there are many possible users and a large personality file is required, then a large amount of *permanent storage space* must be

allocated just to store the personality profiles. [Italics added]


In Janay, an enhanced user interface for a remote terminal that includes a technique of allowing users to define the order in which data is entered, define what particular function keys represent, and to display certain fields in a customized manner is disclosed. At column 1, Janay characterizes the "remote terminal" as being a simple "dumb" terminal. The Applicants submit that a "dumb" terminal cannot be expected to include the processing resources to interface with a removable storage media, such as the flash memory card of Root. Thus, without the use of a removable storage media, *Janay requires that any personality profiles be stored in a permanent storage space. However, in Root, the use of such a permanent storage space is clearly stated as being "inadequate"*. Thus, the Applicants respectfully submit that Root teaches away from Janay by very clearly stating that the permanent storage is "inadequate".

Accordingly, the Applicant believes that since Root repudiates the use of a permanent storage media, such as that required by Janay, *Root teaches away from Janay* and these references cannot be combined to produce the claimed invention. Therefore, the Applicants respectfully request that Examiner withdraw the rejection.

III. Additional Fees

It is not believed that additional fees are due at this time; however, if any additional fee is required in connection with the filing of this Amendment, please charge the fee to Deposit Account No. 08-2025.

Respectfully Submitted,
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